

REMARKS

In accordance with the foregoing, the specification and claims 1, 4, 7, and 8 are amended. Claims 1-9 are pending and under consideration. No new matter is presented by the specification or the claim amendments and accordingly, entry and approval of same are respectfully requested.

CLAIM AMENDMENTS

Claims 1, 4, 7, and 8 are amended for form and to correct informalities.

Claim 1 is also amended to recite that each second guide rib is connected to a corresponding first guide rib. (See, for example, FIG. 4 and paragraph [0027].

No new matter is presented by the claim amendments and accordingly, entry and approval of same are respectfully requested. None of the amendments of claims 1, 4, 7, and 8 narrows the scope of the claims within the meaning of Festo Corp. v. Shoketsu Kinszoku Kogyo Kabushiki Co., Ltd (SUPREME COURT RULING, July 12, 2002).

ITEM 11: ALLOWABLE SUBJECT MATTER

The Examiner indicates that claims 5 and 6:

... would be allowable if rewritten in independent form including all of the limitations of the base claim an intervening claims and rewritten to overcome the above mentioned informalities.

(Action at page 11).

Applicant appreciates the indications of allowable subject matter. The objections to claims 5 and 6 are addressed below. Claims 5 and 6 are not rewritten to independent form, since patentability is submitted to reside in the independent claim 4, amended herein, from which claims 5 and 6 depend.

ITEM 1: OBJECTION TO CLAIMS 1-9

The Examiner objects to claims 1-9 because of informalities.

The Examiner objects to independent claims 1 and 4 contending that the recited language in claims 1 and 4 that ribs "protrude on the paper guide" does not describe the structure. (Action at page 2).

Claims 1 and 4 are amended herein and withdrawal of the objection to independent claims 1 and 4, and respective dependent claims 2-3 and 5-6, is requested.

The Examiner objects to independent claim 7 contending that the Applicant has not recited any structure in this claim. The Examiner objects to dependent claim contending that

claim 8 "is a double recitation of (these) abilities recited in claim 7." (Action at page 2).

Claims 7 and 8 are amended herein and withdrawal of the objection to claims 7 and 8, and claim 9 dependent on claim 7, is requested.

ITEMS 2-3: REJECTION OF CLAIMS 7-9 under 35 U.S.C. §112, FIRST PARAGRAPH

The Examiner rejects claims 7-9 under 35 U.S.C. §112, first paragraph contending that claims 7-9 fail to comply with the written description requirement. The Examiner contends claim support cannot be found in the specification for the phrase recited in claim 7 --the second flattening ability is greater than the first flattening ability--. (Action at pages 3-4).

Applicant submits that support for the recited claim language is found within the specification, for example, in paragraphs [0031]-[0032] and as shown in FIG. 5. For example, paragraphs [0031]-[0032] describe:

. . . first printing is performed in a state when the paper P placed on the first guide ribs 132a is flattened by the first guide ribs 132a . . . Subsequently, the paper P in which the first printing is completed is fed by another half-swath S . . . the first-printed portion placed on the second guide ribs 132b is depressed between the second guide ribs 132b, formed at a comparatively wide interval I2, by its weight, and is flattened as by the solid line W2 in FIG. 5, such that the height of the waveform is reduced.

(Emphasis added).

Applicant submits that claims 7-9 are supported by the specification and withdrawal of the rejection is requested.

ITEMS 4-5: REJECTION OF CLAIMS 7-9 UNDER 35 U.S.C. §112, SECOND PARAGRAPH

The Examiner rejects claims 7-9 under 35 U.S.C. §112, second paragraph contending claims 7-9 are indefinite. With regard to claim 7, the Examiner indicates "it is not clear how applicant is determining the magnitude of a flattening ability."

Applicant submits that determination of magnitude of flattening ability is described, for example, by paragraph [0032] and FIG. 5 that describe:

first-printed portion placed on the second guide ribs 132b is depressed between the second guide ribs 132b, formed at a comparatively wide interval I2, by its weight, and is flattened as by the solid line W2 in FIG. 5, such that the height of the waveform is reduced.

(Emphasis added).

Applicant submits that claims 7-9 are definite and withdrawal of the rejections is requested.

**ITEMS 2-6: REJECTION OF CLAIMS 1-3 FOR ANTICIPATION UNDER 35 U.S.C. §102 BY
BAILEY ET AL. (U.S.P. 6,089,773)**

Claims 1-3 are rejected by the Examiner as being allegedly anticipated by Bailey (Action at pages 3-4).

Traverse Of The Rejection

As provided in MPEP §706.02 entitled Rejection on Prior Art, anticipation requires that the reference must teach every aspect of a claimed invention. Bailey does not support an anticipatory-type rejection by not describing features recited in the present application's independent claims.

First Guide Ribs Positioned To Protrude From Paper Guide To Face Front-half Swath Of Printhead With Predetermined Interval Therebetween Not Described By Bailey

Second Guide Ribs Positioned To Protrude From Paper Guide To Face Rear-half Swath Of Printhead With Interval Therebetween Wider Than Interval Between First Guide Ribs Not Described By Bailey

Independent claim 1 recites a paper guide including a plurality of first guide ribs positioned to protrude from the paper guide to face a front-half swath of a printhead with a predetermined interval therebetween and a plurality of second guide ribs positioned to protrude on the paper guide to face a rear-half swath of the printhead with an interval therebetween wider than the interval between the first guide ribs.

These features are not described by Bailey, nor does the Examiner does not contend the features are described.

While Bailey does describe (col. 3, line 62) "cockle control ribs 18," Applicant submits that Bailey does not describe first guide ribs that face a front-half swath of a printhead and second guide ribs that face a rear-half-swath of the printhead. In fact, Bailey describes, for example, and shows in FIG. 2 and 5 that the "cockle control ribs are positioned downstream from printzone 24." (Emphasis added). That is not only are the ribs described by Bailey not first ribs facing a front-half swath of a printhead and second ribs facing a rear-half of a printhead, the ribs described in Bailey do not face the printhead at all.

Conclusion

Since features of independent claim 1 are not described by Bailey, Applicant requests withdrawal of the rejection of independent claim 1, and claims 2-3 dependent therefrom, and the claims allowed.

ITEM 8: REJECTION OF CLAIM 1 FOR ANTICIPATION UNDER 35 U.S.C. §102(b) BY KANEMITSU (JP 2002-103706)

Claim 1 is rejected by the Examiner as being allegedly anticipated by Kanemitsu. (Action at page 5).

Claim 1, as amended, recites a paper guide wherein each of the second guide ribs is connected to a corresponding first guide rib.

Applicant respectfully submits that Kanemitsu does not describe second guide ribs connected to corresponding first guide ribs. (See, for example, Kanemitsu FIG. 2).

Conclusion

Since features of claim 1 are not described by Kanemitsu, Applicant requests withdrawal of the rejection and the claim allowed.

ITEM 8: REJECTION OF CLAIMS 7-9 FOR ANTICIPATION UNDER 35 U.S.C. §102(b) BY KANEMITSU

Claims 7-9 are rejected by the Examiner as being allegedly anticipated by Kanemitsu. (Action at page 5).

Second Flattening Ability Greater Than First Flattening Ability Not Described By Kanemitsu

Independent claim 7, as amended, recites a paper guide of an ink-jet printer including a first region comprising a plurality of first guide ribs and having a first flattening ability, and a second region comprising a plurality of second guide ribs and having a second flattening ability, wherein the second flattening ability is greater than the first flattening ability.

The Examiner contends that Kanemitsu teaches that:

the second flattening ability must be greater than the first flattening ability since all the structure disclosed by Kanemitsu meets the structure recited in the claim.

(Action at page 5).

Applicant respectfully submits that Kanemitsu does not teach that first guide ribs have a first flattening ability and does not teach that second guide ribs have a second flattening ability, let alone a relation between two flattening abilities.

Further, features of dependent claims are not described. For example, dependent claim 9 recites that the first region corresponds to a first-half swath of a printhead, and the second region corresponds to a second-half swath of the printhead.

The Examiner contends this feature is taught by Kanemitsu contending:

ribs 31 are located under a first half of printhead 1 and the ribs 32 are located under a second half of the printhead as shown in Figure 1 of Kanemitsu.

(Action at page 5).

While the Examiner's contention may *arugendo* be correct, as shown in the present applications FIGs. 3 and 4, for example, a correspondence of regions and respective half swaths, is not described by merely having a rib under part of a respective region.

Conclusion

Since features of independent claim 7, and claims 8-9 dependent thereon, are not described by Kanemitsu, Applicant requests withdrawal of the rejection and claims 7-9 allowed.

ITEMS 9-10: REJECTION OF CLAIM 4 FOR OBVIOUSNESS UNDER 35 U.S.C. §103(a) OVER KANEMITSU IN VIEW OF BAE(U.S.P. 5,775,824)

Claim 4 recites an ink-jet printer including an ink-jet cartridge with a printhead and a paper guide having a plurality of first guide ribs positioned to protrude from the paper guide to face a front-half swath of the printhead with a predetermined interval therebetween, and a plurality of second guide ribs protrude on the paper guide to face a rear-half swath of the printhead with an interval therebetween to be wider than the interval between the first guide ribs.

The Action concedes that Kanemitsu does teach an ink-jet cartridge, but contends there is motivation to modify Kanemitsu.

***Prima Facie* Obviousness Not Established**

No Motivation Stated Within the Cited Art To Combine In The Manner Proposed By The Examiner

As provided in MPEP §2143 entitled Basic Requirements of a *Prima Facie* Case of Obviousness:

(t)he teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Applicant submits there is no stated motivation in Kanemitsu to modify a supply of ink to a cartridge .

Summary

Since *prima facie* obviousness has not been established, the rejections should be withdrawn and claims allowed.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge

the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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